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TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Application Number	09/930,329
Filing Date	August 14, 2001
First Named Inventor	Thomas H. Turpen
Group Art Unit	1633
Examiner Name	Samuel Liu
Attorney Docket Number	60-003703US

Total Number of Pages in This Submission

ENCLOSURES (check all that apply)

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment / Response <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Small Entity Statement <input type="checkbox"/> Request for Refund	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Additional Enclosure(s) (please identify below): Courtesy Copy of Pending Claims and receipt acknowledgment postcard
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Remarks

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Angela P. Horne, Ph.D., Reg. No. 41,079, Quine Intellectual Property Law Group, P.C.
Signature	<i>Angela P. Horne, Ph.D.</i>
Date	February 11, 2003

CERTIFICATE OF MAILING

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QUINE INTELLECTUAL PROPERTY LAW GROUP, P.C.

By

Evelyn Gomez
Evelyn Gomez

Attorney Docket No. 60-003703US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Thomas H. Turpen, et al.

Application No.: 09/930,329

Filed: August 14, 2001

For: VIRAL AMPLIFICATION OF
RECOMBINANT MESSENGER RNA IN
TRANSGENIC PLANTS

Examiner: Samuel Liu

Art Unit: 1633

PRELIMINARY AMENDMENT

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Assistant Commissioner for Patents
Washington, D.C. 20231

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Sir:

Applicants respectfully request that the following Preliminary Amendment be considered prior to examination of the above-cited application.

AMENDMENT

Please amend the claims to as follows, without prejudice to subsequent renewal of the specification in its original form. For the Examiner's convenience, a complete claim set of the currently pending claims is submitted herewith.

Please cancel claims 12-13.

Please enter the following new claims:

26. A method of expressing a foreign gene product in a plant cell, the method comprising:

providing a chromosomally integrated transgene in a plant cell, wherein the transgene comprises a replicon having a plus sense, RNA viral replication origin and at least one foreign gene capable of expression in a plant or a plant cell, wherein said replicon is transcribed from a promoter, and wherein said replicon is dependent for replication on a helper virus;

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providing the helper virus, wherein the helper virus comprises a plus sense, RNA viral replicase;

transcribing the transgene using a host RNA polymerase II, to form recombinant mRNAs comprising the replicon;

replicating the recombinant mRNAs with the plus sense, RNA viral replicase, thereby producing additional replicon components; and

producing subgenomic mRNA from the additional replicon components, thereby expressing the foreign gene product in the plant cell.

27. The method of claim 26, wherein providing the chromosomally integrated transgene comprises:

a) introducing the transgene into the plant cell by transformation; and

b) growing a transgenic plant to an optimal stage prior to providing the helper virus.

28. The method of claim 26, wherein providing the helper virus comprises infecting the plant cell with the helper virus.

29. The method of claim 26, wherein producing the subgenomic mRNA further comprises self-cleaving the mRNA.

30. The method of claim 26, wherein producing the subgenomic mRNA further comprises translating the mRNA.

31. The method of claim 26, wherein the at least one foreign gene product comprises an antisense RNA, a ribozyme, a regulatory enzyme, a structural protein, or a therapeutic protein.

32. The method of claim 31, wherein the therapeutic protein comprises an interleukin or a colony stimulating factor.

33. The method of claim 26, wherein the replicon codes for at least one sequence upon which the helper virus is dependent.

34. The method of claim 33, wherein the at least one sequence upon which the helper virus is dependent comprises a functional movement protein, and wherein the replicon further comprises a sequence encoding the functional movement protein, thereby enabling

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